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കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Thiruvananthapuram,
Friday

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GOVERNMENT OF KERALA

Home (B) Department.

NOTIFICATION

G. O. (P) No. 70/2026/Home. *Dated, Thiruvananthapuram, 29th June, 2026.*

The Ministry of Home Affairs, Government of India has formulated a scheme to provide financial assistance to poor prisoners, who are unable to pay the fine imposed on them or are unable to secure bail due to financial constraints. The objective of the scheme is to ensure that such individuals are not unnecessarily incarcerated, allowing them to reintegrate into society as responsible citizens. Accordingly, as per G.O.(P) No.37/2024/Home, dated 02.04.2024, the guidelines and the Standard Operating Procedure (SOP) for implementation of the 'support to poor prisoners scheme', were

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issued. Subsequently, the Hon'ble Supreme Court, as per order dated 08.10.2025 in MA 2035/2022 in S.L.P.(Crl).No.5191/2021, directed Union of India to carry out necessary modifications and to issue a modified Standard Operating Procedure (SOP) as directed therein. Accordingly, Government of India has issued revised guidelines and Standard Operating Procedure on 02.12.2025 for implementation of the scheme for support to poor prisoners. The Hon'ble High Court of Kerala, as per order dated 21.10.2025 in Suo motu W.P.(Crl.) No.867/2024, has directed the Government of Kerala to take appropriate steps to come out with a modified comprehensive SOP incorporating all improvements and recommendations suggested by KeLSA, so that a uniform, efficient, and time-bound implementation of the "Support to Poor Prisoners Scheme" can be ensured across the State, so that the benefits extended to poor prisoners, as per the directions issued by the Hon'ble Supreme Court can be implemented in its letter and spirit.

2. Accordingly, in compliance with judicial directions and the revised guidelines issued by the Government of India, the Government hereby modify the structure and composition of the committees constituted for the implementation of the 'Support to Poor Prisoners Scheme,' as well as the operational framework, as follows:

I. Empowered Committee at District level.

(i) Nominee of the District Collector(DC)/District Magistrate (DM) - Chairman
(ii) Secretary, District Legal Services Authority - Convenor/ Co-ordinating in charge of the meetings of the Empowered Committee.
(iii) Superintendent of Police who have jurisdictional authority in the area where the Prison is situated.
(iv) Superintendent/Deputy Superintendent of the concerned Prison.
(v) Judge in charge of the concerned Prison as nominated by the District Judge

II. Oversight Committee at the State Level.

(i) Additional Chief Secretary (Home Department).
(ii) Secretary, Law Department.
(iii) Secretary, Kerala State Legal Services Authority.
(iv) Director General, Prisons and Correctional Services.
(v) Registrar General of the High Court.

Note 1: The Committee will appoint a Nodal Officer and take assistance of Jail Visiting Lawyer (JLV)/ Paralegal Volunteer (PLV) or any civil society

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representative/social worker/ District Probation Officer, or any other officer, etc. to assist them in processing cases of needy prisoners.

Note 2: The Empowered Committee will assess the requirement of financial support in each case for securing bail or for payment of fine, etc. and based on the decision taken, the Nodal Officer of the State/UT Prison Headquarter shall draw funds from the CNA account and take necessary action in this regard.

3. The following criteria may be scrupulously followed while determining the eligibility of persons for getting the benefit of the scheme:

i) Persons accused/convicted of offences under Prevention of Corruption Act, Prevention of Money Laundering Act, NDPS Act, Unlawful Activities Prevention Act, POCSO Act, Persons accused/convicted of offences against Women and Children and repeated offenders are ineligible for getting the benefit of the scheme.

ii) The benefit of the scheme will be extended only once to a person.

iii) The benefit of the scheme will be extended only to BPL family members.

4. The Ministry of Home Affairs has designated the National Crime Records Bureau (NCRB) as the Central Nodal Agency (CNA) for implementing this scheme. Funds for the scheme will be made available through the Central Nodal Agency (CNA).

5. The Director General, Prisons and Correctional Services shall open a subsidiary account under the CNA's account (NCRB) and have it mapped on PFMS as all funds from the Central Nodal Agency will flow through this account.

6. The Deputy Inspector General of Prisons (Head Quarters) is appointed as Nodal Officer who may engage with the Ministry of Home Affairs or the Central Nodal Agency (CNA), i.e., National Crime Records Bureau (NCRB), to seek any clarification about the procedure / guidelines, etc. The Deputy Inspector General of Prisons (Head Quarters) will draw the requisite amount from the CNA as per the recommendation of the Empowered/Oversight Committee, as the case may be, and release the amount of fine/bail surety, to the concerned Prison's account where the beneficiary is lodged.

7. The prison concerned shall remit the amount to the Court through challan or any other expeditious mode of payment accepted by the Court.

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8. The Standard Operating Procedure (SOP) for the implementation of the 'Support to Poor Prisoners Scheme', is appended as **Annexure**.

By order of the Governor,

BISHWANATH SINHA
Additional Chief Secretary

Explanatory Note

The Ministry of Home Affairs, Government of India has formulated a scheme to provide financial assistance to poor prisoners, who are unable to pay the fine imposed on them or are unable to secure bail due to financial constraints. It is expected that providing financial support to such poor prisoners in paying their fine amount or helping them in securing bail will help them to come out of jail and join the mainstream as a responsible citizen of the country. Accordingly, as per G.O.(P) No.37/2024/Home, dated 02.04.2024, the guidelines and the Standard Operating Procedure (SOP) for implementation of the 'support to poor prisoners scheme', were issued.

The Hon'ble Supreme Court while considering MA 2035/2022 in S.L.P. (Crl).No.5191/2021, directed Union of India to carry out necessary modifications and to issue a modified Standard Operating Procedure (SOP). While considering Suo Motu WP(Crl) No.867/2024, the Hon'ble High Court of Kerala has also directed the Government of Kerala to formulate a comprehensive SOP incorporating all improvements and recommendations suggested by KeLSA and in line with the directions issued by the Apex Court, so that a uniform, efficient, and time-bound implementation of the "Support to Poor Prisoners Scheme" can be ensured across the State. This notification is issued in line with the revised guidelines and Standard Operating Procedure, is also modified accordingly.

This scheme will go a long way in not only mitigating the problems faced by poor prisoners but will also help in solving the problem of overcrowding in prisons.

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ANNEXURE

STANDARD OPERATING PROCEDURE

1. UNDER TRIAL PRISONERS (UTPs)

I. Action by Jail Authorities

1. Immediately upon receipt of a Court Order granting bail to an Under Trial Prisoner (UTP), the Jail Authorities shall ensure that all relevant particulars of the bail order are entered into the e-Prison Portal without any delay.
2. If the Under Trial Prisoner is not released from jail within a period of seven (7) calendar days from the date of the Court Order granting bail, the Jail Authorities shall generate a formal list of all such unreleased Under Trial Prisoners. The said list shall be forwarded by email to the Secretary of the concerned District Legal Services Authority (DLSA) within twenty-four (24) hours after completion of the seventh day (i.e., by the 8th day).

II. Action by District Legal Services Authority (DLSA)

3. Upon receipt of information from the Jail Authorities, the Secretary, DLSA shall immediately arrange an interaction with the Under Trial Prisoner. For such interaction, the Secretary, DLSA may authorise a Jail Visiting Lawyer (JLV), Para Legal Volunteer (PLV), civil society representative, District Probation Officer, or any other appropriate official.

4.During the interaction,verification shall be conducted to ascertain: whether the Under Trial Prisoner has sufficient funds in the Prisoner's Savings Account; and whether the Under Trial Prisoner is financially incapable of furnishing the bail surety in terms of the bail conditions.

5.The entire exercise under this part shall be completed within five (5) days, commencing from the date on which the Under Trial Prisoner's non-release status (seven days post-bail order) is reflected on the DLSA's e-Prison dashboard.

6. Where the Under Trial Prisoner is found to be financially incapable, the Secretary, DLSA shall prepare a Recommendation Report in the format prescribed by NALSA, based on the information obtained, within the aforesaid five-day period. The Recommendation Report shall be placed before the District Level Empowered

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Committee in its very next scheduled meeting.

III. Action by District Level Empowered Committee

7. The District Level Empowered Committee shall convene a review meeting, either online or in-person, mandatorily once every seven (7) days, to examine all Recommendation Reports submitted by the DLSA during the preceding week.

8. Upon examination, if the Committee recommends extension of financial assistance under the "Support to Poor Prisoners Scheme", it may sanction an amount up to Rs. 50,000/- per Under Trial Prisoner, and the decision shall be communicated simultaneously to the DLSA and the Jail Authorities by email.

9. Where the amount recommended by the Secretary, DLSA exceeds Rs. 50,000/-, the District Level Empowered Committee may, in its discretion, sanction a higher amount not exceeding Rs. 1,00,000/-, recording reasons.

10. In cases where the amount exceeds Rs. 1,00,000/-, or where the District Level Empowered Committee does not exercise its discretion to sanction any amount between Rs. 50,000/- and Rs. 1,00,000/-, the proposal shall be referred to the State Level Oversight Committee (SLOC) for consideration and approval.

11. Such proposals shall be forwarded to the SLOC Secretariat within three (3) days of the meeting of the District Level Empowered Committee.

IV. Action by State Level Oversight Committee (SLOC)

12. The State Level Oversight Committee shall convene review meetings, either online or in-person, at least once every seven (7) days, to consider proposals received from the District Level Empowered Committees.

13. Upon approval of a proposal, the State Level Oversight Committee shall issue its Approval Order forthwith, endorsing the recommendation of the District Level Empowered Committee.

V. Financial Disbursement and Compliance

14. The office of the District Level Empowered Committee or the State Level Oversight Committee shall ensure that the duly signed Sanction Order or Approval Order is forwarded to the District Collector within three (3) days from the date of issuance.

15. The District Collector shall ensure that the sanctioned amount is drawn, processed,

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and deposited before the concerned Hon 'ble Court within five (5) days of receipt of the Sanction Order or Approval Order. The amount may be deposited by way of Fixed Deposit or any other appropriate method, as directed by the Court.

16. If the sanctioned amount is not deposited before the Court within five (5) days of receipt of the Sanction Order or Approval Order and if the Under Trial Prisoner is not released, the Jail Authorities shall inform the Secretary, DLSA on the sixth day.

VI . Reversion of Funds

17. If the Under Trial Prisoner is acquitted or convicted, the Trial Court may pass appropriate orders to ensure that the deposited amount is remitted back to the Government account, as the amount was deposited solely for the purpose of securing bail. This shall not apply where the accused is entitled to the benefit of bail under Section 389(3) of the Code of Criminal Procedure [Section 430(3)BNSS], or where bail is granted by the Appellate Court under Section 389(1) of the Code of Criminal Procedure [Section 430(1) BNSS], in which event the amount may be utilized for such bail.

VII. Legal Aid in Case of Rejection

18. Where the District Level Empowered Committee or the State Level Oversight Committee rejects the recommendation of the Secretary, DLSA, the decision shall be communicated to the Secretary, DLSA forthwith and in any event not later than two (2) days, by email.

19. The Secretary, DLSA shall, within three (3) days from the date of rejection, engage a Legal Aid Advocate to seek reduction of the surety amount or appropriate modification of the bail conditions.

20. The Legal Aid Advocate shall file the necessary application or petition within seven (7) days from the date on which the case is assigned.

21. The Secretary, DLSA shall remain responsible for continuous follow-up at every stage to ensure that the Under Trial Prisoner receives timely and effective legal assistance.

VIII. Excluded Categories

22. The benefit under the Support to Poor Prisoners Scheme shall not be available to persons accused of offences under:

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a. Prevention of Corruption Act
b. Prevention of Money Laundering Act
c. NDPS Act
d. Unlawful Activities (Prevention) Act
e. POCSO Act

f. Persons involved in heinous offences such as acts of terrorism, offences affecting national security, dowry deaths, rape, human trafficking
g. Persons accused/convicted of offences against Women and Children.

23. The District Level Empowered Committee and the State Level Oversight Committee shall exercise due caution in applying the above exclusions.

2. CONVICTED PRISONERS

I. Action by Jail Authorities:

1. Immediately upon receipt of a court order relating to a convicted person, or upon receiving information from the convicted person or any other source that the said person is unable to be released from jail on account of non-payment of the fine amount, the Jail Authorities shall ensure that all relevant particulars of the order, the reasons for non-release, and any other pertinent details are entered into the e-Prison Portal within seven (7) days from the date on which such information is received.

2. The Jail Authorities shall also prepare and maintain a formal list of all convicted persons who are unable to be released from jail on account of non-payment of the fine amount. This report shall be forwarded to the respective Secretary, District Legal Services Authority (DLSA), by email, within seven (7) days from the date of receipt of such information.

II. Action by District Legal Services Authority (DLSA)

3. Upon receipt of information from the Jail Authorities, the Secretary, DLSA shall immediately arrange an interaction with the Convicted Prisoner. For such interaction, the Secretary, DLSA may authorise a Jail Visiting Lawyer (JLV), Para Legal Volunteer (PLV), civil society representative, District Probation Officer, or any other appropriate official

4. During the interaction, verification shall be conducted to ascertain: whether the Convicted Prisoner has sufficient funds in the Prisoner's Savings Account; and whether

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the Convicted Prisoner is financially incapable of payment of the fine amount.

5. This entire exercise shall be completed within a period of five (5) days. The said five-day period shall commence immediately upon the prisoner's status being reflected on the DLSA's e-Prison Dashboard.

6. Where the Convicted Prisoner is found to be financially incapable, the Secretary, DLSA shall prepare a Recommendation Report in the format prescribed by NALSA, based on the information obtained, within the aforesaid five-day period. The Recommendation Report shall be placed before the District Level Empowered Committee in its very next scheduled meeting.

III. Action by District Level Empowered Committee:

7. The District Level Empowered Committee shall convene a review meeting, either online or in-person, mandatorily once every seven (7) days, to examine all Recommendation Reports submitted by the DLSA during the preceding week.

8. After examination, if the District Level Empowered Committee recommends that the Prisoner be extended financial support for a fine amount up to Rs. 25,000/- per case, the District Level Empowered Committee shall immediately issue the official Sanction Order during the meeting itself.

9. If the recommended fine amount exceeds Rs. 25,000/-, the District Level Empowered Committee shall issue a formal Recommendation to the State Level Oversight Committee (SLOC) for final approval. The District Level Empowered Committee shall ensure this formal Recommendation is placed before the SLOC Secretariat within three (3) days of the District Level Empowered Committee's meeting.

IV. Action by State Level Oversight Committee (SLOC)

10. The State Level Oversight Committee shall convene a review meeting, either online or in-person, mandatorily once every seven (7) days to examine high-value recommendations received from the District Level Empowered Committee.

11. If the recommendation is approved, the State Level Oversight Committee shall issue the official approval order forthwith, upon due examination and endorsement of the recommendation of the District Level Empowered Committee in respect of any fine amount exceeding Rs. 25,000/-.

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V. Financial Disbursement and Compliance

12. The office of the District Level Empowered Committee or the State Level Oversight Committee shall ensure that the duly signed Sanction Order or Approval Order is forwarded to the District Collector within three (3) days from the date of issuance.

13. The District Collector shall ensure that the sanctioned amount is drawn, processed, and deposited before the concerned Hon'ble Court within five (5) days of receipt of the Sanction Order or Approval Order. The amount may be deposited by way of Fixed Deposit or any other appropriate method, as directed by the Court.

14. If the sanctioned amount is not deposited before the Court within five (5) days of receipt of the Sanction Order or Approval Order and if the Convicted prisoner is not released, the Jail Authorities shall inform the Secretary, DLSA on the sixth day.

VI . Legal Aid

15. Where the District Level Empowered Committee or the State Level Oversight Committee rejects the recommendation of the Secretary, DLSA, the decision shall be communicated to the Secretary, DLSA forthwith and in any event not later than two (2) days, by email.

16. The Secretary, DLSA shall be responsible for taking all appropriate follow-up actions at every stage, including after the rejection of the request by the District Level Empowered Committee or the State Level Oversight Committee, so as to ensure that the prisoner receives timely and effective legal assistance and intervention.

VII. Excluded Categories

17. The benefit under the Support to Poor Prisoners Scheme shall not be available to persons accused of offences under:

a. Prevention of Corruption Act
b. Prevention of Money Laundering Act
c. NDPS Act
d. Unlawful Activities (Prevention) Act
e. POCSO Act
f. Persons involved in heinous offences such as acts of terrorism, offences affecting national security, dowry deaths, rape, or human trafficking
g. Persons accused/convicted of offences against Women and Children.

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18. The District Level Empowered Committee and the State Level Oversight Committee shall exercise due caution in applying the above exclusions.

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